

BOARD OF EXAMINERS FOR LAND SURVEYORS

January 23, 2020

The Board of Examiners for Land Surveyors (Board) convened at 9:00 a.m. at 555 N. Cotner Blvd., Lower Level, Lincoln, NE with the following members present:

Jerry G. Hain, Chair
Virlyn S. Bolte, Vice Chair
James W. Hawks
Mary L. Pro
Dennis L. Whitfield
Casey Sherlock, Ex-Officio Secretary

Others present:
Karen Brightenburg
Gerri Monahan

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on January 8, 2020. All items voted on were done so in the form of a roll call vote.

The Chair stated that this meeting was being held in compliance with the updated Nebraska Open Meetings Act (Act) and that a current copy of the Act was available on the table.

 Bolte moved and Pro seconded approval to amend agenda and add item 5A, Unlicensed Practice #1.

 Voting Aye: Hain, Hawks, Pro, Whitfield, Bolte.

 Motion carried.

 Hawks moved and Pro seconded that the November 14, 2019 Board meeting minutes be approved.

 Voting Aye: Hawks, Pro, Whitfield, Bolte, Hain.

 Motion carried.

 Whitfield moved and Bolte seconded that the Board go into executive session at 9:10 a.m. with Sherlock, Monahan and LS and present for the purpose of discussing Complaint 19-2 and to prevent needless injury to the reputation of a person/s and as such person/s has not requested a public meeting.

 Voting Aye: Pro, Whitfield, Bolte, Hain, Hawks.

 Motion carried.

Chair stated that the discussion in executive session would be limited to Complaint 19-2.

 LS was excused at 10:50 a.m.

 Pro moved and Hawks seconded that the Board return to regular session at 10:56 a.m.

 Voting Aye: Whitfield, Bolte, Hain, Hawks, Pro.

 Motion carried.

Chair stated that no subject matter other than Complaint 19-2 was discussed in executive session.

Whitfield moved and Hawks seconded that Secretary Sherlock send letter to LS stating that there will be no further action on survey #1 and for surveys #2 thru #5 to be revised and resubmitted to the State Records Repository. Complaint 19-2 will remain open until items are revised and filing compliance is met.

Voting Aye: Bolte, Hain, Hawks, Pro, Whitfield.

Motion carried.

Whitfield moved and Hawks seconded that the Board go into executive session at 11:05 a.m. with Sherlock and Monahan present for the purpose of discussing Unlicensed Practice #2 and to prevent needless injury to the reputation of a person/s and as such person/s has not requested a public meeting.

Voting Aye: Hain, Hawks, Pro, Whitfield, Bolte.

Motion carried.

Chair stated that the discussion in executive session would be limited to Unlicensed Practice #2.

Whitfield moved and Hawks seconded that the Board return to regular session at 11:19 a.m.

Voting Aye: Hawks, Pro, Whitfield, Bolte, Hain.

Motion carried.

Chair stated that no subject matter other than Unlicensed Practice #2 was discussed in executive session.

Whitfield moved and Hawks seconded that Secretary Sherlock send a letter on behalf of Board to person/s acknowledging Board awareness that surveying and creating lot corners is being completed without a surveying license.

Voting Aye: Pro, Whitfield, Bolte, Hain, Hawks.

Motion carried.

Whitfield moved and Pro seconded that the Board go into executive session at 11:20 a.m. with Sherlock and Monahan present for the purpose of discussing Unlicensed Practice #1 and to prevent needless injury to the reputation of a person/s and as such person/s has not requested a public meeting.

Voting Aye: Whitfield, Bolte, Hain, Hawks, Pro.

Motion carried.

Chair stated that the discussion in executive session would be limited to Unlicensed Practice #1.

Bolte moved and Hawks seconded that the Board return to regular session at 11:41 a.m.

Voting Aye: Bolte, Hain, Hawks, Pro, Whitfield.

Motion carried.

Chair stated that no subject matter other than Unlicensed Practice #1 was discussed in executive session.

Whitfield moved and Pro seconded that the Board go into executive session at 11:46 a.m. with Sherlock and Monahan present for the purpose of discussing Class 1 Registration – Land Surveyor;

Class 2 Applications – Reciprocity; Class 2 Registrations – Reciprocity; and Class 3 Application/Registration - Surveyor-in-Training; and to prevent needless injury to the reputation of a person/s and as such person/s has not requested a public meeting.

Voting Aye: Hain, Hawks, Pro, Whitfield, Bolte.

Motion carried.

Chair stated that the discussion in executive session will be limited to, Class 1 Registration – Land Surveyor; Class 2 Applications – Reciprocity; Class 2 Registrations – Reciprocity; and Class 3 Application/Registration – Surveyor-in-Training.

Whitfield moved and Pro seconded that the Board return to regular session at 12:08 pm.

Voting Aye: Hawks, Pro, Whitfield, Bolte, Hain.

Motion carried.

Chair stated that no subject matter other than Class 1 Registration – Land Surveyor; Class 2 Applications – Reciprocity; Class 2 Registrations – Reciprocity; and Class 3 Application/Registration – Surveyor-in-Training, was discussed in executive session.

Hawks moved and Whitfield seconded that inasmuch as Don Douglas Terry passed the Principles and Practices of Surveying (PS) examination on October 18, 2019 and the Nebraska State Specific examination on December 20, 2019 and has completed the requirements for Class 1 Registration in Nebraska, and upon receipt of the registration fee in amount of \$100.00, he be granted registration dated January 23, 2020, under Certificate No.812.

Voting Aye: Pro, Whitfield, Bolte, Hain, Hawks.

Motion carried.

Whitfield moved and Pro seconded that the application of Ryan C. Swingley for registration by reciprocity from Indiana be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Whitfield, Bolte, Hain, Hawks, Pro.

Motion carried.

Bolte moved and Pro seconded that the application of Ray L. Riggs for registration by reciprocity from Missouri be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Bolte, Hain, Hawks, Pro, Whitfield.

Motion carried.

Pro moved and Hawks seconded that the application of John Bruckner for registration by reciprocity from North Dakota be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Hain, Hawks, Pro, Whitfield, Bolte.

Motion carried.

Hawks moved and Pro seconded that inasmuch as Jay A. Johnson passed the Nebraska reciprocity examination on December 27, 2019 and has completed the requirements for Class 2 Registration in Nebraska, by reciprocity from Iowa, and that upon registration fee in amount of \$100.00, he be granted registration dated January 23, 2020 under Certificate No. 813.

Voting Aye: Hawks, Pro, Whitfield, Bolte, Hain.

Motion carried.

Whitfield moved and Bolte seconded that inasmuch as Roger Dale Dawson passed the Nebraska reciprocity examination on January 22, 2020 and has completed the requirements for Class 2 Registration in Nebraska, by reciprocity from Oklahoma, and that upon registration fee in amount of \$100.00, he be granted registration dated January 23, 2020 under Certificate No. 814.

Voting Aye: Pro, Whitfield, Bolte, Hain, Hawks.

Motion carried.

Bolte moved and Whitfield seconded that inasmuch as Lewis Michael Helms passed the Nebraska reciprocity examination on December 23, 2019 and has completed the requirements for Class 2 Registration in Nebraska, by reciprocity from Colorado, and that upon registration fee in amount of \$100.00, he be granted registration dated January 23, 2020 under Certificate No. 815.

Voting Aye: Whitfield, Bolte, Hain, Hawks, Pro.

Motion carried.

Pro moved and Bolte seconded that inasmuch as James Denver Winchester passed the Nebraska reciprocity examination on January 21, 2020 and has completed the requirements for Class 2 Registration in Nebraska, by reciprocity from Oklahoma, and that upon registration fee in amount of \$100.00, he be granted registration dated January 23, 2020 under Certificate No. 816.

Voting Aye: Bolte, Hain, Hawks, Pro, Whitfield.

Motion carried.

Hawks moved and Pro seconded that inasmuch as Eric Alan Trentmann passed the Nebraska reciprocity examination on January 22, 2020 and has completed the requirements for Class 2 Registration in Nebraska, by reciprocity from Missouri, and that upon registration fee in amount of \$100.00, he be granted registration dated January 23, 2020 under Certificate No. 817.

Voting Aye: Hain, Hawks, Pro, Whitfield, Bolte.

Motion carried.

Whitfield moved and Bolte seconded that the Class 3 application of Timothy David Hajda for registration by Surveyor-in-Training (SIT) be approved and that inasmuch he has demonstrated a knowledge of surveying fundamentals by passing a National Council of Examiners for Engineering and Surveying (NCEES) examination on November 16, 2019, and upon receipt of the SIT registration in the amount of \$20.00, Hajda be granted SIT registration dated January 23, 2020 under Certificate No. 283.

Voting Aye: Hawks, Pro, Whitfield, Bolte, Hain.

Motion carried.

The Board reviewed their strategic plan. Changes to the Rules and Regulations will be considered. A draft copy of a lobbyist contract was reviewed. Expenses of hiring a lobbyist utilizing land surveyor fees

was discussed. Working together with the Professional Surveyors Association of Nebraska (PSAN) was considered. After PSAN's Minimum Standards for Surveys is revised and approved at their 2021 Annual Meeting, the Board's Rules and Regulations will be amended and reviewed for legislative changes.

The final version of the Professional Engineering and Surveying Interstate Resolution of Cooperation (ROC) will be presented at the 2020 National Council of Examiners for Engineering and Surveying (NCEES) Zone Interim meeting. Boards will have the opportunity to discuss the ROC before the 2020 NCEES Annual Meeting.

Hawks moved and Pro seconded that Bolte, Pro, Whitfield, and Sherlock be selected as official Board delegates and Member Board Administrator (MBA) for travel to the April 23-25, 2020 NCEES Interim Zone Meeting in Houston, TX.

Voting Aye: Pro, Whitfield, Bolte, Hain, Hawks.

Motion carried.

Hawks moved and Bolte seconded that the November and December expense vouchers be approved.

DAS Building Div., September parking	15.00
DAS IMServices, November web hosting	28.00
DAS Materiel, October postage	15.82
Hain, Jerry, November Board mtg. travel expenses	37.12
Hawks, James, November Board mtg, travel expenses	262.16
Lincoln Journal Star, November meeting notice	9.04
Whitfield, Dennis, November. Board. mtg. travel expenses	58.00
November Total	<u>\$425.14</u>
Comfort Suites, Hawks November Board mtg. lodging	81.00
DAS IMServices, December web hosting	28.00
DAS Materiel, November postage	65.53
J.P. Cooke Co. 1 seal and freight, CLS	33.20
Office Depot, October office supplies	32.63
December Total	<u>\$239.86</u>

Voting Aye: Whitfield, Bolte, Hain, Hawks, Pro.

Motion carried.

Secretary Sherlock reported on the ballot question to appoint or elect count surveyors.

Legislative Bill #744 to authorize appointment of county engineer in certain counties and change powers and duties was reviewed. In counties having a population of one hundred fifty thousand inhabitants or more which have appointed a county engineer, the county engineer shall appoint a full-time county surveyor.

The next meeting is scheduled for March 19, 2020 in Lincoln.

Hawks moved and Pro seconded that the meeting be adjourned at 12:55 p.m.

All in favor. Motion carried.

Casey C. Sherlock, Secretary